

BIRMINGHAM CITY COUNCIL

PLANNING COMMITTEE
21 MAY 2020

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON THURSDAY, 21 MAY 2020 AT 1100 HOURS AS AN ON-LINE MEETING

PRESENT:-

Councillor Karen McCarthy in the Chair;

Councillors Bob Beauchamp, Maureen Cornish, Diane Donaldson, Peter Griffiths, Julie Johnson, Saddak Miah, Gareth Moore, Simon Morrall, Lou Robson, Mike Ward and Martin Straker Welds.

PUBLIC ATTENDANCE

- 7546 The Chair stressed that, because the Committee was a quasi-judicial one, no decisions had been made before the meeting.

NOTICE OF RECORDING

- 7547 The Chair advised, and the Committee noted, that this meeting would be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and members of the press/public could record and take photographs.

DECLARATIONS OF INTEREST

- 7548 The Chair reminded Members that they must declare all relevant pecuniary and non-pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the Minutes of the meeting. The Chair noted that Members should also express an interest if they had passed an opinion on any of the applications being considered at the meeting.

APOLOGIES

- 7549 An apology for non-attendance was submitted on behalf of Councillor Mohammed Fazal.

CHAIR'S ANNOUNCEMENTS

7550 The Chair noted that Members had received an email relating to an appeal lodged in respect of 193 Camp Hill which Committee had refused and Members were invited to submit their comments.

At this point the meeting was briefly adjourned due to a technical issue.

Councillor Gareth Moore noted that previously some years ago, when the Committee went against officers' recommendations for approval and an appeal was held, Members had been invited to make comments and attend the appeal hearing to defend their actions. He queried if Members attendance was requested on this occasion and indicated that he was confident that officers could defend the appeal. The Chair indicated that Members should make any comments and indicated if they were willing to attend the appeal it would be useful to know at this stage. The Assistant Director indicated that he would take the comments made back to officers and get back to Members accordingly.

The Chair continued that she had promised to send a letter to Members explaining the changes in delegations and would be sending that shortly.

The Chair noted that information relating to West Midlands 5G had been sent to Members and they would have an opportunity to comment/ask questions under Other Urgent Business item later in the meeting.

MINUTES

With reference to minute No. 7520, on page 4733, Councillor Gareth Moore indicated in the third paragraph of the preamble there appeared to be a typographical error in that it read 'The Steven Hira....'. He suggested that the word 'The' be removed or the officers title should replace his name.

7551 Subject to the above, the Minutes of the meeting of the Committee held on 23 April 2020, having been circulated, were confirmed by the Committee and signed by the Chair.

DATES OF MEETINGS FOR 2020-2021

It was -

7552 **RESOLVED:-**

That meetings of the Committee be held on the following Thursdays commencing at 1100 hours:-

2020

Thursday 4 June
Thursday 18 June
Thursday 2 July

2021

Thursday 7 January
Thursday 21 January
Thursday 4 February

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Thursday 16 July	Thursday 18 February
Thursday 30 July	Thursday 4 March
Thursday 13 August	Thursday 18 March
Thursday 27 August	Thursday 1 April
Thursday 10 September	Thursday 15 April
Thursday 24 September	Thursday 29 April
Thursday 8 October	Thursday 13 May
Thursday 22 October	
Thursday 5 November	
Thursday 19 November	
Thursday 3 December	
Thursday 17 December	

The business of the meeting and all discussions in relation to individual planning applications including issues raised by objectors and supporters thereof was available for public inspection via the web-stream.

REPORTS OF THE DIRECTOR, INCLUSIVE GROWTH (ACTING)

The following reports were submitted:

(See Document No. 1)

PLANNING APPLICATIONS IN RESPECT OF THE EAST AREA

REPORT NO. 7 – 582 WASHWOOD HEATH ROAD, WARD END, BIRMINGHAM, B8 2HF – 2019/07381/PA

The Chair advised there were no updates.

Members commented on the application and the Area Planning Manager (East) and the Transport Development Manager responded thereto.

Upon being put to a vote it was 8 in favour, 1 against and 1 abstention -

7553

RESOLVED:-

That planning permission be granted subject to the conditions set out in the report.

At this point in the meeting Councillor Peter Griffiths joined the meeting.

PLANNING APPLICATIONS IN RESPECT OF THE NORTH WEST AREA

REPORT NO 8 – LAND FRONTING ASTON LANE, ASTON, BIRMINGHAM – 2020/00956/PA

The Chair advised there were no updates.

Upon being put to a vote, during which Councillor Peter Griffiths confirmed he had been present for the whole of the discussion, it was 11 in favour, 0 against and 0 abstention.

7554

RESOLVED:-

That temporary planning permission be granted subject to the conditions set out in the report.

OTHER URGENT BUSINESS

The Chair was of the opinion that the following items be considered as matters of urgency in order to expedite consideration thereof and instruct officers to act if necessary:-

A. West Midlands 5G

7555

The Area Planning Manager (North West) explained that the presentations circulated to Members were a follow up to the presentation that was made at the meeting before Christmas. Subsequent to that presentation officers had held discussions with West Midlands 5G and the operators and service providers and it had become clear the 5G roll-out would involve a lot more than had previously been advised hence the updated presentations shared with Members. He emphasised that one thing that had become clear was that, in addition to the replacement of existing poles with taller poles, operators had identified the need for a number of new locations to support the 5G rollout. He noted that Members would have seen several applications in respect of the 5G rollout in the weekly list of planning applications.

During the ensuing discussion Members asked questions and made the following points:-

- Whilst acknowledging the need to move forward to improve communication, the visual impact of the masts to residents should be carefully considered.
- More City-wide information was required from operators to show how many masts and where they would be located to allow local Councillors to respond to residents' enquiries in a measured way.
- The pausing of the deliberation of applications for masts should be considered as there were concerns that consultation was restricted due to the Covid 19 lockdown.
- It was questioned whether all applications for masts came before Committee, whether there would be an assumption of approval if a mast already existed and whether there was any discretion in the siting of masts particularly by buildings such as schools and on narrow pavements.

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- It would be helpful to have information where new and existing sites for masts in Wards and Constituencies.
- Environmental issues should be considered.
- It would be useful to have information relating to appeals outcomes in respect of masts.
- The maps and photographs provided by the operators appeared to be out of date as changes in the locality had not been identified which suggested that they were doing a desktop exercise rather than visiting locations.

The Chair noted that Central Government had not relaxed the time limits for consideration of planning applications but had given guidance on the use of social media. Therefore, local Councillors had an important role in communicating to residents and not stoking the fears that run contrary to scientific advice. She continued that masts were included in the changes to the Scheme of Delegations, but Members could call them in if necessary.

The Area Planning Manager (North West) noted that the applications for masts were coming in as full applications, those requiring prior approval and those as permitted development. All of them would be considered according to the thresholds in the Scheme of Delegations. He added that relevant policies had wording relating to the importance of digital infrastructure communications and Central Government and the City Council was supportive of 5G. The policies also made reference that masts should be kept to a minimum to benefit customers and provide reasonable capacity for future expansion. The Area Planning Manager (North West) noted that as with other applications the appropriate balance needed to be taken in terms of visual harm against the economic and social benefits of the infrastructure. He referred to a recent appeal in respect of a mast that replaced an existing mast but was much taller. The application was refused on visual impact grounds but the Planning Inspector, whilst acknowledging there were visual impact grounds, allowed the appeal as it was considered that the social and economic benefits outweighed this harm. He continued that a lot of the roll-out information was commercially sensitive and work was on-going. The information that Members had received had the expected number of new masts, and one operator had identified the need for 125 new masts in highway locations. Consultation on applications would continue during lockdown in accordance with the Registration Manual and Statement of Community Involvement which was over and above legal requirements set in planning legislation. He continued that the siting and appearance of the masts were taken into consideration when determining the applications.

The Chair requested that a summary of appeal decisions relating to mast applications be emailed to Members so that they could get an understanding of the reasoning behind the overturning of refused applications. She also noted the importance of advising residents what the Council could and could not do in respect of planning applications for the 5G rollout.

In response to further comments from Members, the Area Planning Manager (North West) indicated that he would contact West Midlands 5G to see if the operators would be willing/able to provide the mapping mentioned in order for Members to be able to understand the scale of the rollout across the City.

B. Scheme of Delegations

- 7556 Councillor Gareth Moore indicated that he wished to raise an issue where an objector had been told that an application would be considered at Committee but it had been dealt with by officers under the Scheme of Delegations. He suggested that the issue may have arisen after because the Scheme of delegations had changed and as there could be other similar cases then objectors and supporters should be made aware of how the applications were to be considered under the new Scheme of Delegations.

The Chair noted that work had been undertaken to ensure such issues did not arise when the Scheme of Delegations changed and requested that Councillor Moore send her details of the case so that she could discuss it with officers.

C. Peer Review

- 7557 Councillor Lou Robson queried what the situation was regarding the Peer Review that was undertaken last year and whether it would be possible to discuss it at a Committee meeting or informally.

The Chair indicated that the problem was, because of the lockdown, it had not been possible to discuss the review with relevant stakeholders and people had voiced the need to be heard who did not know they were stakeholders. She indicated that she would consider holding an informal meeting. In response to a further comment from Councillor Robson, the Chair noted that one of the important aspects of the Review was a Communication Strategy, but the Council's Communication Team were busy with the Covid 19 response.

D. 193 Camp Hill Appeal

- 7558 The Assistant Director confirmed that in respect of the appeal Members' support would be welcomed both with comments and attending the appeal.

AUTHORITY TO CHAIR AND OFFICERS

- 7559 **RESOLVED:-**

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1150 hours

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CHAIR